REMARKS

"Arbiter" has been changed to "asynchronous arbiter" throughout the claims to direct the claims specifically to asynchronous systems and methods.

Applicants have elected to amend the original claims solely for the purpose of prosecuting amended claims in this application. These amended claims better encompass the full scope and breadth of certain aspects of the present invention, notwithstanding applicants' belief that the original claims directed to these aspects would have been allowable. It is submitted, therefore, that no claims have been narrowed within the meaning of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 56 USPQ2d 1865 (Fed. Cir. 2000).

Favorable consideration and an early allowance of this application is requested.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1.   (once amended) A network system comprising:

a plurality of resources, some of which being incompatible with others;

a network interconnecting the resources;

5   an <u>asynchronous</u> arbiter resident in each of the resources for sending messages via the network and for receiving messages via the network wherein each arbiter independently reviews and processes the messages from other arbiters of other resources so that the resources

10   communicate directly with each other without the need for a master controlling program and without the need for other gateway for controlling and processing the messages as the messages are transmitted between resources.

14.   (once amended) A message system for transmitting messages on a network between resources interconnected by the network, said message system comprising:

an <u>asynchronous</u> arbiter resident in each of the

5   resources for sending messages via the network and for receiving messages via the network, each said arbiter independently reviewing and processing the messages so that the resources communicate directly with each other without the need for a master controlling program and without the

10   need for other gateway for controlling and processing the messages as the messages are transmitted between resources.

15.   (once amended) An inter process peer to peer messaging system for communicating between a plurality of networked resources, some of which employ operating systems which are incompatible with each other, said system

5   comprising:

an <u>asynchronous</u> arbiter message originator associated with each of the resources for providing an arbiter message

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to be sent to the other resources, the arbiter message instructing one of the other resources to execute one or more of the following: remote program execution, data transport, message communication, status communication, arbiter identification, data encryption, message encryption, and relocation of computer resources;

a message arbiter receiver associated with each resource for receiving the arbiter messages from the other resources and for responding to the received arbiter message by executing one or more of the following: retransmitting the arbiter message to another one of the resources; and deciphering, interpreting and executing the received arbiter message wherein the arbiter message originator and the arbiter message receiver do the actual communication between their respective resources without the need for a master controlling program and without the need for other gateway for controlling and processing the messages as the messages are transmitted between resources.

16. (once amended) An inter process peer to peer messaging process for communicating between a plurality of networked resources, some of which employ operating systems which are incompatible with each other, said process comprising the steps of:

transmitting an asynchronous arbiter message from one resource to the other resources, the arbiter message instructing one of the other resources to execute one or more of the following: remote program execution, data transport, message communication, status communication, arbiter identification, data encryption and message encryption and relocation of computer resources; and

receiving the arbiter messages from the other resources and for responding to the received arbiter message by executing one or more of the following: retransmitting the asynchronous arbiter message to another one of the

resources; and interpreting and executing the received arbiter message wherein the actual communication between their respective resources is accomplished without the need

20   for a master controlling program and without the need for other gateway for controlling and processing the messages as the messages are transmitted between resources.

The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of government fees to Deposit Account No. 19-1345.

                              Respectfully submitted,

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